

TAYLOR PIPELINE  
CONSTRUCTION, INC.

§

C.A. NO. 1-04-CV0599

VS.  
DIRECTIONAL ROAD BORING, INC.,  
DAVID J. O'LEARY and  
HYPOWER, INC.

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## BEAUMONT DIVISION

TAYLOR PIPELINE §  
CONSTRUCTION, INC. § C.A. NO. 1-04-CV0599  
§  
VS. § JURY  
DIRECTIONAL ROAD BORING, INC., §  
DAVID J. O'LEARY and §  
HYPOWER, INC. §  
BACKGROUND §

**PLAINTIFF'S SUPPLEMENT TO PLAINTIFF'S AMENDED RESPONSE  
TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

COMES NOW, Plaintiff Taylor Pipeline Construction, Inc. ("Taylor Pipeline"), and files this Plaintiff's Supplement to Plaintiff's Amended Response to Defendants' Motions for Summary Judgment and, in support thereof, respectfully shows as follows:

I.

Pursuant to this Honorable Court's Request, Plaintiff Taylor Pipeline submits the following to Plaintiff's Amended Response to Defendants' Motions for Summary Judgment:

- 1) Reporter's Certification  
For the Deposition of James D. Taylor  
October 27, 2005  
Deposition Unsigned
- 2) Reporter's Certification  
Oral Deposition of Julia Taylor  
November 15, 2005  
Deposition Unsigned
- 3) Reporter's Certification  
Oral Deposition of Thomas B. Neild  
November 11, 2005  
Deposition Unsigned

TAYLOR PIPELINE §  
CONSTRUCTION, INC. § C.A. NO. 1-04-CV0599  
§  
VS. § JURY  
DIRECTIONAL ROAD BORING, INC., §  
DAVID J. O'LEARY and §  
HYPOWER, INC. §  
BACKGROUND §

**PLAINTIFF'S SUPPLEMENT TO PLAINTIFF'S AMENDED RESPONSE  
TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

COMES NOW, Plaintiff Taylor Pipeline Construction, Inc. ("Taylor Pipeline"), and files this Plaintiff's Supplement to Plaintiff's Amended Response to Defendants' Motions for Summary Judgment and, in support thereof, respectfully shows as follows:

**I.**

Pursuant to this Honorable Court's Request, Plaintiff Taylor Pipeline submits the following to Plaintiff's Amended Response to Defendants' Motions for Summary Judgment:

- 1) Reporter's Certification  
For the Deposition of James D. Taylor  
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- 3) Reporter's Certification  
Oral Deposition of Thomas B. Neild  
November 11, 2005  
Deposition Unsigned

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Taylor Pipeline respectfully prays  
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Defendants' Motions for Summary Judgment be denied, and that Plaintiff, Taylor Pipeline be  
awarded such other relief, general or special, legal or equitable, to which it may be justly  
entitled.

Respectfully submitted,



By: \_\_\_\_\_  
MIKE JOHNSTON, TBA #10840500  
FED. ID #7264  
DAVID MEDEARIS, TBA #24041465  
FED. ID #557586

OF COUNSEL:

SULLINS, JOHNSTON, ROHRBACH  
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Houston, Texas 77027  
Tel 713.521.0221  
Fax 713.521.3242

ATTORNEYS FOR PLAINTIFF,  
TAYLOR PIPELINE CONSTRUCTION, INC.

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 5 day of April, 2006 PLAINTIFF'S  
SUPPLEMENT TO PLAINTIFF'S AMENDED RESPONSE TO DEFENDANTS'  
MOTIONS FOR SUMMARY JUDGMENT was served electronically via e-file system,  
certified mail, return receipt requested and/or hand delivery and/or by facsimile and/or by First  
Class mail upon all counsel of record.



DAVID MEDEARIS